

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 ZENIA CHAVARRIA,) Case No. CV 11-02109 DDP (VBKx)
12 individually, and on behalf)
13 of other members of the) **ORDER GRANTING PLAINTIFF'S EX**
14 general public similarly) **PARTE APPLICATION FOR RELIEF FROM**
15 situated,) **LOCAL RULE 23-3**
16 Plaintiff,)
17 v.) [Motion filed on 7/18/11]
18 RALPHS GROCER COMPANY, an)
19 Ohio corporation,)
20 Defendant.)

19 Presently before the court is Plaintiff's *Ex Parte* Application
20 for Relief from Local Rule 23-3. *Ex parte* relief is generally
21 disfavored when relief may be had through a regularly-noticed
22 motion. Mission Power Eng'g Co. v. Cont'l Cas. Co., 883 F. Supp.
23 488, 492 (C.D. Cal. 1995). However, having considered the
24 submissions of the parties, the court concludes that, in this
25 instance, Plaintiff has adequately shown good cause for *ex parte*
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1 relief. (See id.) Accordingly, Plaintiff is relieved from Local
2 Rule 23-3. The deadline for Plaintiff's Motion for Class
3 Certification shall be set at the Scheduling Conference.

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5 IT IS SO ORDERED.

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10 Dated: July 26, 2011

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DEAN D. PREGERSON

United States District Judge